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10 *Attorneys for USAA Casualty Insurance Company*

11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14
15 **NANCY WEBER**, individually,

16 Plaintiff,

17 v.

18 **USAA CASUALTY INSURANCE**
19 **COMPANY; DOES 1 through X, and**
20 **ROE CORPORATIONS I through X;**
21 **inclusive,**

22
23 Defendant.

24 Civil Action No 2:22-cv-00696-GMN-EJY

25
26 **STIPULATION AND ORDER TO**
27 **DISMISS PLAINTIFF'S SECOND**
28 **AND THIRD CAUSES OF ACTION**
29 **AND REQUEST FOR PUNITIVE**
30 **DAMAGES AND ATTORNEY'S**
31 **FEES WITH PREJUDICE**

Defendant USAA Casualty Insurance Company (“USAA CIC”) and Plaintiff Nancy Weber (“Weber” and collectively with USAA CIC referred to as the “Parties”) stipulate and agree to as follows:

USAA CIC filed a Motion to Dismiss Plaintiff's Second and Third Causes of Action and Request for Exemplary/Punitive Damages and Attorneys Fees on Aril 5, 2022 (the "Motion") (ECF No. 5). After USAA CIC filed the Motion, Weber agreed to dismiss her second and third cause of action and her request for exemplary damages and attorney's fees *with prejudice*. As such, the Parties agree: (1) Weber's only remaining cause of action is her first cause of action, for breach of contract and (2) USAA CIC's Motion to Dismiss is now moot.

The Parties further agree that USAA CIC shall answer Weber's remaining cause of action by May 31, 2022.

Dated this 16th day of May, 2022.

VANNAH & VANNAH

SPENCER FANE LLP

By: /s/ John B. Greene
John B. Greene, Esq.
Nevada Bar No. 004279
Attorney for Plaintiff

By: /s/ Mary Bacon
Mary E. Bacon, Esq.
NV Bar No. 12686
Attorneys for USAA Casualty
Insurance Company

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Motion to Dismiss, (ECF No. 5), filed by Defendants United Services Automobile Association and United States Automobile Association is **DENIED as moot**.

Dated this 18 day of May, 2022.

Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT